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Plaintiff and Judgment Creditor *In Pro Per*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES D. CROSBY

Plaintiff,

v.

PHILIP NEUMAN

Defendant

Case No. 2:17-CV-02474-JCM-PAL

EX-PARTE MOTION FOR ORDER
MOVING OR CONTINUING STATUS
AND SCHEDULING CONFERENCE;
DECLARATION OF JAMES D.
CROSBY.

Plaintiff and judgment creditor James D. Crosby respectfully moves for an order moving or continuing the Status and Scheduling Conference scheduled in the above referenced matter at 9:00 a.m. on December 19, 2017 to 9:00 a.m., or at any other court time, on any of the following dates:

- December 13, 14, 15, 26, 27, 28, or 29;
- January 2, 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 24, 25, 29, 30 or 31.

Plaintiff/Judgment creditor James D. Crosby has an irreconcilable calendar conflict on December 19, 2017 involving multi-day depositions in consolidated cases pending in San Diego Superior Court (*PAVA Applications International Corporation, et.al., v. Ayman Atef Shahid, et. al.*, and consolidated cases; San Diego Superior Case No. 37-2016-00038849 (Lead) and Consolidated Case Nos. 37-2017-00014453 and 37-2017-0000998). Plaintiff/Judgment

1 creditor James D. Crosby is representing parties and witnesses in one multi-day deposition
2 from December 18 to December 21, and two half day depositions on December 22. All these
3 depositions are in San Diego and commence each day at 9:30 a.m. These depositions, involving
4 multiple parties and their attorneys in a contentious employment matter, have been scheduled
5 for some time and cannot be moved without significant disputes, likely motions and court
6 intervention. Plaintiff/Judgment creditor James D. Crosby personally represents multiple, and
7 all, parties on one side of the consolidated cases and must attend these depositions.

8 Accordingly, plaintiff/ judgment creditor James D. Crosby respectfully requests that the
9 Status and Scheduling Conference in the above referenced matter currently set at 9:00 a.m. on
10 December 19, 2017 be moved to any of the dates referenced above.

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12 Date: December 2, 2017

/s/ James D. Crosby
Plaintiff and Judgment Creditor *In Pro Per*

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15 Declaration of James D. Crosby

16 1. I am an attorney licensed to practice before all state and federal courts of, and in,
17 the state of California. I am the plaintiff and judgment creditor in the above entitled action. I
18 have personal knowledge of the facts stated in this declaration and, if called upon, would testify
19 competently to such facts.

20 2. The Status and Scheduling Conference in the above referenced matter is presently
21 scheduled for 9:00 a.m. on December 19, 2017. I respectfully request this Status and
22 Scheduling Conference be moved or continued to 9:00 a.m., or at any other court time, on any
23 of the following dates:

- 24 - December 13, 14, 15, 26, 27, 28, or 29;
25 - January 2, 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 24, 25, 29, 30 or 31.

3. I have an irreconcilable calendar conflict on December 19, 2017 involving multi-day depositions in consolidated cases pending in the San Diego Superior Court (*PAVA Applications International Corporation, et.al., v. Ayman Atef Shahid, et, al.*, and consolidated cases; San Diego Superior Case No. 37-2016-00038849 (Lead) and Consolidated Case Nos. 37-2017-00014453 and 37-2017-00009998). I represent parties and witnesses in one multi-day deposition from December 18 to December 21 and two half day depositions on December 22. All these depositions are in San Diego and commence each day at 9:30 a.m. These depositions, involving multiple parties and their attorneys in a contentious employment matter, have been scheduled for some time. These depositions cannot be moved without significant disputes, likely motions, and court intervention. I personally represent multiple, and all, parties on one side of the consolidated cases and I must attend these depositions.


4. Accordingly, I respectfully request that the Status and Scheduling Conference in the above referenced matter currently set at 9:00 a.m. on December 19, 2017 be moved to any of the dates referenced above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 2, 2017 at San Diego California.

/s/ James D. Crosby

IT IS ORDERED that the Status and Scheduling Conference currently set for December 19, 2017, is **VACATED** and **CONTINUED** to 2:30 p.m. January 16, 2018 in Courtroom 3B.

Dated: December 4, 2017


Peggy A. Leen
United States Magistrate Judge

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1 Via U.S. Mail:

2 XX by placing a copy thereof in an envelope addressed to each of the persons or entities at
3 each of the addresses designated above and placing the envelope for collection and mailing
4 following our ordinary business practices. I am readily familiar with this business's practices
5 for collecting and processing correspondence for mailing. On the same day that correspondence
6 is placed for collection and mailing, it is deposited in the ordinary course of business with the
7 United States Postal Service in a sealed envelope with postage fully prepaid.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed at San Diego, California on December 2, 2017.

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11 /s/ James D. Crosby
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